

REMARKS/ARGUMENTS

Claims 1-3, 5 and 7-9 are pending herein. The PTO has withdrawn claims 5-7 from further consideration. Claim 8 has been rewritten in independent form. Withdrawn claim 6 has been cancelled without prejudice or disclaimer. Applicants respectfully submit that no new matter has been added.

Examiner Turocy is thanked for courtesies extended to Applicants' undersigned representative during a telephonic interview on April 2, 2009. During the interview, Examiner Turocy stated that he would grant a telephonic interview prior to the first Office Action if an RCE is filed to move prosecution forward in this case.

Accordingly, Examiner Turocy is respectfully requested to contact Applicants' undersigned representative at the number listed below to arrange a telephonic interview prior to the first Office Action after entry of the RCE filed herewith.

Claims 1-3 and 9 were rejected under §103(a) over Yara alone or Yara in view of Hartmann or Awazu; claims 1-4, 8 and 9 were rejected under §103(a) over Yara in view of Mizuno. These rejections are respectfully traversed for the reasons explained in the Request for Reconsideration filed February 17, 2009, the entirety of which is incorporated by reference. Applicants respectfully submit that the Declaration Under 37 C.F.R. 1.132 filed February 17, 2009, once entered by Examiner Turocy, provides the necessary evidence to rebut all grounds of rejection

Further, with respect to independent claim 8, the pulse duration of the pulse voltage is less than 500 nanoseconds, which is at least 50% less than the 1000 nanoseconds pulse discharge at which Yara explicitly states the discharge becomes unstable. This fact alone rebuts the rejection of claim 8 based on Yara from a teaching away viewpoint. Further, one of skill in the art would not have reasonably expected the claimed pulse duration of less than 500 nanoseconds to have a similar discharge stability to that of 1000 nanoseconds, as used in Yara. Therefore, the cited references fail to teach or suggest the claimed pulse duration of less than 500 nanoseconds for producing a thin film under a pressure of 100 to 1600 Torr, as claimed.

Based on the above, the cited references fail to teach or suggest each and every element of claim 1 and amended claim 8. Accordingly, Applicants respectfully request that Examiner Turocy reconsider and withdraw these rejections.

For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein are in condition for allowance. Accordingly, Examiner Turocy is requested to issue Notice of Allowance for this application in due course. Again, if Examiner Turocy concludes that another Office Action is in order, he is requested to contact the undersigned for a telephonic interview before mailing any such Office Action.

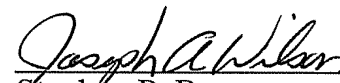
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

April 15, 2009

Date


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